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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR 14-380 CRB
)	
Plaintiff,)	
)	DECLARATION OF AUSA AULT IN SUPPORT
v.)	OF OPPOSITION TO MOTION FOR BILL OF
)	PARTICULARS
FEDEX CORPORATION,)	
FEDERAL EXPRESS CORPORATION,)	
(A/K/A FEDEX EXPRESS),)	
FEDEX CORPORATE SERVICES, INC.,)	
)	
Defendants.)	

1. I am one of the Assistant United States Attorneys assigned to the above-captioned matter.
2. On or about July 29, 2014, the United States began producing discovery to the defendants.
3. To date, the United States has produced more than 1,142 gigabytes or 1.14 terabytes of information, including at least 2,899,215 separate files. Wherever possible, the United States has processed this information using optical character recognition ("OCR") techniques that allow the discovery to be electronically searched. The United States has engaged in multiple conversations with

1 counsel for the defense to ensure that materials are produced in a manner that is consistent with the
2 discovery-processing technology they are using.

3 4. Attached hereto as Exhibit 1, is a true and correct copy of sample pages from the
4 discovery guide that is updated and provided to the defense with each production. As of January 9,
5 2015, the discovery guide encompassed 21 pages and 584 separate entries.

6 5. In addition to the materials the United States has provided, FedEx produced to the United
7 States over 1 million pages of materials culled from FedEx's corporate records in response to requests
8 from the United States for information related to Internet pharmacies. Included among those materials
9 are documents containing notes, agendas, correspondence and similar materials regarding meetings
10 between FedEx and representatives of government agencies, including the Drug Enforcement
11 Administration.

12 6. Attached hereto as Exhibit 2 is a true and correct copy of a letter from a FedEx Managing
13 Director to the House Subcommittee on Oversight & Investigations, dated December 29, 2003. FedEx
14 provided this letter to the United States.

15 7. Attached hereto as Exhibit 3 is a true and correct copy of the testimony of Robert Bryden
16 before the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs,
17 United States Senate, from July 22, 2004, as printed by the U.S. Government Printing Office.

18 8. Attached hereto as Exhibit 4 is a true and correct copy of the prepared testimony of Bruce
19 Townsend before the Subcommittee on Oversight and Investigations of the Committee on Energy and
20 Commerce, United States House of Representatives, from December 13, 2005, as printed by the U.S.
21 Government Printing Office.

22 9. Attached as Exhibit 5 is an agenda from the 2006 FedEx Security Summit which FedEx
23 provided to the United States.

24
25 I declare under penalty of perjury that the above is true and correct to the best of my knowledge.

26 DATED: *January 21, 2015*

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28 
KIRSTIN M. AULT
Assistant United States Attorney